

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

BRANDON L. PIERCE,

Plaintiff,

vs.

SPOKANE COUNTY JAIL, LT.  
VELOSKI, MICHEAL ASLIN and  
JAIL DENTIST,

Defendants.

NO: CV-12-060-JPH

ORDER ADOPTING REPORT AND  
RECOMMENDATION AND  
DISMISSING ACTION

Magistrate Judge Hutton filed a Report and Recommendation on March 21, 2012, recommending Mr. Pierce's action be dismissed for failure to comply with the filing fee requirements. ECF No. 12. Specifically, Mr. Pierce failed to either pay the filing fee or to complete and file a financial affidavit as required by 28 U.S.C. § 1915(a)(1). Plaintiff had initiated this action while incarcerated but was subsequently released. There is no mechanism for collecting the filing fee in partial payment once a prisoner has been released from incarceration. 28 U.S.C. § 1915(b)(2).

ORDER ADOPTING REPORT AND RECOMMENDATION AND  
DISMISSING ACTION -- 1

There being no objections, the Court **ADOPTS** the Report and Recommendation. This action is **DISMISSED WITHOUT PREJUDICE** for failure to obey a Court Order to comply with the filing fee requirements of 28 U.S.C. §§ 1914(a) and 1915(a).

**IT IS SO ORDERED.** The District Court Executive is directed to enter this Order, enter judgment, forward a copy to Plaintiff and close the file. The Court certifies any appeal of this dismissal would not be taken in good faith.

**DATED** this 18th day of April 2012.

s/ Rosanna Malouf Peterson  
ROSANNA MALOUF PETERSON  
Chief United States District Court Judge